IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 21992 of 2007(R)

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PETITIONER:

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P.V.GEORGE, AGED 51 YEARS,
S/O. VARKEY, PALAKKAPPALLY HOUSE,
PERUMANOOR, KOCHI-15.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA
SRI.ANTONY MATHEW
SMT.C.SEENA

RESPONDENTS:

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1. THE AUTHORISED OFFICER,
PUNJAB & SIND BANK, (A GOVT. OF INDIA
UNDERTAKING), ZONAL OFFICE, 1ST FLOOR,
770-A, ANNA SALAI, CHENNAI-600 002.

2. THE CHIEF MANAGER,
PUNJAB & SIND BANK, (A GOVT. OF INDIA
UNDERTAKING), M.G.ROAD, ERNAKULAM,
COCHIN-682 011.

3. THE CHAIRMAN-CUM-MANAGING DIRECTOR,
PUNJAB & SIND BANK, (A GOVT. OF INDIA
UNDERTAKING), 110008/H.O., "BANK HOUSE" 21,
RAJENDRA PLACE, NEW DELHI-110 008.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S. SIRI JAGAN, J.**

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**W.P.(C)NO.21992 OF 2007**

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**DATED THIS THE 17th DAY OF JULY, 2007**

**JUDGMENT**

The petitioner challenges proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 on the ground that the proceedings are vitiated by irregularities. It is settled law that the proceedings under the Act have to be challenged in an appeal before the Debt Recovery Tribunal as provided under the Act itself. The Supreme Court has held that this Court shall not ordinarily interfere with proceedings under the Act in exercise of the jurisdiction under Article 226 of the Constitution of India. The petitioner has not pointed out any special circumstance warranting interference by this Court despite the alternate remedy available. Therefore, I am not inclined to exercise my discretionary jurisdiction in favour of the petitioner.

Accordingly, the writ petition is dismissed without prejudice to the right of the petitioner to move the Debt Recovery Tribunal in an appeal for appropriate reliefs.

**S. SIRI JAGAN, JUDGE**

Acd